

DELEGATION OF AUTHORITY

DATE: 4-10-17

THE COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT

14-14D. Cost Recovery Non-Judicial Agreements and Administrative Consent Orders

1. PURPOSE AND LEGAL AUTHORITY.

A. Purpose.

- a. To redelegate the authority contained in Delegation 14-14D issued by EPA Headquarters on January 18, 2017.

B. Authority. Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, including Sections 104, 107 and 122(h), to enter into or exercise concurrence in non-judicial agreements or administrative orders on consent for the recovery of costs of response.

2. TO WHOM REDELEGATED. The Director, Office of Site Remediation and Restoration (OSRR).

3. REDELEGATION AUTHORITY.

A. This authority may be redelegated to the Section Chief level, or equivalent, and no further.

B. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS.

A. The Director, OSRR, shall consult with the Superfund Legal Manager, Legal Enforcement Office, Office of Environmental Stewardship (OES), or his/her designee, prior to exercising this authority. The Superfund Legal Manager, Legal Enforcement Office, OES, or his/her designee, may waive consultation in writing.

B. The Superfund Legal Manager, Legal Enforcement Office, OES, or his/her

DELEGATION OF AUTHORITY

DATE: 4-10-17

designee, is responsible for any necessary consultation with the Manager, Legal Enforcement Office, OES, or his/her designee, and the Regional Counsel, or his/her designee, regarding significant counseling issues.

C. This authority does not include de minimis settlements under CERCLA Section 122(g).

D. This authority does not include referral of cost recovery claims for resolution by arbitration of representation of the U.S. Environmental Protection Agency at arbitration hearings, conferences and negotiations.

E. The Director, OSRR, should consult with the Assistant Administrator for the Office of Enforcement and Compliance Assurance consistent with the most recent version of the *OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart*, or successor documents, as appropriate.

F. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

5. ADDITIONAL REFERENCES.

A. All applicable U.S. Environmental Protection Agency guidance and directives.

B. Authority to enter consent orders for administrative actions is delegated in Agency Delegation 14-14C, *Administrative Actions through Consent Orders*.

C. Authority to refer cost recovery claims for resolution by arbitration and to represent the Agency at arbitration hearings, conferences, and negotiations is delegated in Agency Delegation 14-14F, *Cost Recovery Arbitration*.

D. Authority to enter into or exercise Agency concurrence authority in de minimis settlements under CERCLA Section 122(g) is delegated in Agency Delegation 14-14E, *De Minimis Settlements*.

E. As required by Section 122(h)(1) of CERCLA, if total response costs at the facility exceed \$500,000 (excluding interest), the Agency may not compromise the claim without the prior written approval of the Attorney General.

F. *OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart*, or successor documents, as appropriate.


ENVIRONMENTAL PROTECTION AGENCY
REGION I – BOSTON

CLASS. NO. 1200
DELEGATION NO. 14-14D

DELEGATION OF AUTHORITY

DATE: 4-10-17

6. SUPERSESSION. Region I Delegation 14-14D, dated September 3, 1996.


Deborah A. Szaro
Acting Regional Administrator

4/10/17
Date